

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Before:

Justice Arbab Ali Hakro

Justice Muhammad Jaffer Raza

C.P No.D-279 of 2026

[Shafique Rehman and 07 others v. Province of Sindh and 04 others]

Petitioners by : Mr. Muhammad Meean Bajeer, Advocate.

Respondents by : Mr. Ghulamullah Memon, Additional A.G Sindh a/w Shahid Mustafa, Mukhtiarkar Mithi and Nasarullah Sahar D.E.O (Primary), Tharparkar @ Mithi.

Dates of Hearing : **05.05.2026**

Date of Decision : **19.05.2026**

ORDER

ARBAB ALI HAKRO J:- The petitioners, all residents of District Tharparkar, have invoked the constitutional jurisdiction of this Court under Article 199 of the Constitution, asserting that they were duly recommended by the District Selection Committee (DSC) for various non-technical posts in BPS-01 to BPS-04 in the School Education and Literacy Department, District Tharparkar, pursuant to the recruitment process initiated through walk-in-interviews advertised on 03.09.2021 and 04.09.2021. They contend that their names appear in the DSC recommendation list dated 07.08.2023 and that, despite the Provincial Cabinet's subsequent decision dated 01.12.2025 lifting the recruitment ban and directing issuance of offer letters, the respondents have withheld their appointment orders without lawful justification.

2. The petitioners further assert that this Court, in C.P. No. D-972 of 2025 and connected matters, directed issuance of offer letters to all candidates recommended by the DSC, yet the respondents have allegedly issued offer letters selectively to politically-favoured individuals who do not appear in the DSC list, thereby violating merit, transparency and the Court's earlier directions.

3. The respondents, through their para-wise comments, have categorically disputed the petitioners' claim of recommendation. It is asserted that the petitioners' names do not appear in the authenticated DSC list; that the lists produced by the petitioners require verification; that offer letters have already been issued strictly to those candidates who were genuinely recommended in the DSC meeting held on 07.08.2023 and that no manipulation or deviation from the Court's earlier directions has occurred. The respondents further deny any cancellation of the recruitment process or any political interference.

4. Heard and perused the record.

5. The record placed before us reveals a serious factual divergence between the parties. The petitioners rely upon documents purporting to be DSC recommendation lists, whereas the respondents dispute their authenticity and assert that the petitioners were never recommended. The respondents also claim that offer letters have already been issued to all genuine DSC recommended candidates in compliance with the earlier judgment of this Court.

6. The controversy, therefore, does not merely involve a ministerial omission or administrative delay; rather, it raises grave allegations of fabrication, manipulation of official record, possible interpolation in DSC lists and potential administrative impropriety. These allegations cannot be adjudicated summarily in constitutional jurisdiction without a proper forensic and administrative examination of the underlying record, including the DSC minutes, recommendation lists, attendance sheets, outward registers and issuance logs of offer letters.

7. The Court is not equipped, within the limited contours of Article 199, to conduct a fact-finding exercise of such magnitude, particularly where the authenticity of documents is disputed and where the possibility of misconduct by either side cannot be ruled out. The matter requires a neutral, high-level administrative inquiry to ascertain the true factual substratum and to determine

whether any manipulation, fabrication or deviation from the recruitment policy or the Court's earlier directions has occurred.

8. In view of the disputed factual substratum and the serious allegations of manipulation, fabrication and administrative impropriety raised by both sides, this petition is **disposed of** with the direction that the Chief Secretary, Government of Sindh, shall constitute a high-level inquiry committee, headed by a senior officer not below BPS-20 of the Services, General Administration & Coordination Department, to examine the entire recruitment process for non-technical posts (BPS-01 to BPS-04) in the Education Department, District Tharparkar. The committee shall scrutinize the DSC minutes dated 07.08.2023, the recommendation lists, outward registers and all related documents and shall determine whether the petitioners were duly recommended, whether any manipulation or fabrication occurred and whether any officer or candidate acted in violation of law. The inquiry shall be completed within sixty days and appropriate action shall thereafter be taken strictly in accordance with law. The petitioners shall be at liberty to place their entire material before the inquiry committee.

With these directions, the petition stands **disposed of**.

JUDGE

JUDGE

Faisal